

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS, HOUSTON DIVISION**

RUSSELL, et al.,

Plaintiffs,

V.

HARRIS COUNTY, TEXAS, et al.,

Defendants.

Case No. 4:19-cv-00226  
(Class Action)  
The Honorable Lee H. Rosenthal  
U.S. District Judge

**PLAINTIFFS' SUPPLEMENTAL ADVISORY**

In a written advisory filed on January 7, 2022, and during the status conference held by the Court on January 10, 2022, Plaintiffs noted concerns over the rising jail population, the Judges' failure to conduct regular bail hearings, the local culture of repeated and lengthy resets, and the failure of the defense bar to communicate with clients or to file bail motions. Dkt. 547. Plaintiffs highlighted the case of J.B.C., who is a 68-year-old homeless veteran who was arrested on December 25, 2020, for allegedly stealing a bottle of wine from CVS and threatening to strike a person with the bottle. *Id.* at 2. The case was assigned to Judge Kelli Johnson and bond was initially set at \$30,000 secured (during a proceeding at which J.B.C. was not present) and then reduced a few days later to \$5,000 secured. J.B.C. was detained for over a year due to his inability to pay \$5,000. There is no evidence in the public record that J.B.C. saw a judge at any point after December 29, 2020, until this past Monday, January 10, 2022.

On Monday, J.B.C. was scheduled to appear in court before Judge Kelli Johnson. At the court setting, the felony charge was reduced to a misdemeanor and J.B.C. pled guilty. He was sentenced to 180 days in jail, with credit for the 382 days he had spent in custody since arrest—more than twice the length of his sentence. He has since been released from jail.

The resolution of J.B.C's case emphasizes the concerns raised in Plaintiffs' previous advisory: that people are languishing in jail on unaffordable bail, without meaningful access to counsel or adversarial bail hearings.

Date: January 12, 2022

Respectfully Submitted,

/s/ Alec Karakatsanis

/s/ Elizabeth Rossi

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**CERTIFICATE OF SERVICE**

I certify that on January 12, 2022, a true and correct copy of this document properly was served on counsel of record via electronic filing in accordance with the U.S. District Court for the Southern District of Texas Procedures for Electronic Filing.

/s/ Elizabeth Rossi

Elizabeth Rossi